

Motor Vehicles



Chapter 296-865
October 2005 Edition

**Washington Industrial
Safety & Health Act**

Standards Update to

Chapter 296-865 WAC, Motor Vehicles

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The Department of Labor and Industries has rewritten and reorganized for clarity and ease of use the safety standards for Motor Vehicles. The Motor Vehicles rule, in chapter 296-24 WAC, was rewritten for clarity and adopted as chapter 296-865 WAC.

Please discard WAC 296-24-233.

To receive future updates of this standard and all other Department of Labor and Industries safety and health standards electronically, please sign up on the WISHA Listserv (<http://www.lni.wa.gov/Safety/Rules/default.htm>). By subscribing to the Listserv, you will also receive rule updates, hearing notices, and informational packets for all safety and health rules.

Also available on the WISHA web site:

- WISHA Core Rules
- Other General WISHA Rules
- Industry and Task-specific Rules
- Proposed rules and hearings
- Newly adopted rules and new rule information
- WISHA Regional Directives (WRDs)
- WISHA Interim Operations and Interpretive Memoranda (WIIM)
- Memoranda of Understanding (MOU)

To receive hardcopy updates of this rule, please return the card located at the back of the book.

Motor Vehicles

Chapter 296-865 WAC

Other Rules that may apply to your workplace

- The WISHA Safety and Health Core Rules, Chapter 296-800 WAC, contain the basic requirements that apply to most employers in Washington. They also contain:
 - An Introduction that lists important information you should know, including a section on building, fire and electrical codes.
 - A Resource section that includes a complete list of all WISHA rules and a directory of the Labor and Industries (L&I) offices.
- Other WISHA rules may apply to you, depending on the activities and operations of your workplace. Contact your local L&I office if you're uncertain about which WISHA requirements apply to you.
- To go online to access all the Safety and Health Rules: <http://www.lni.wa.gov/safety>
- If you would like to receive e-mail notification of rule updates, please register for the Standards Listserv on the WISHA web site at <http://www.lni.wa.gov/home/listservs.htm>
- For a CD or paper copy contact us by:

Mail: Department of Labor and Industries
P.O. Box 44620
Olympia, WA 98504-4620

Telephone: 1-800-4BE-SAFE (1-800-423-7233)

Motor Vehicles

Chapter 296-865 WAC

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Motor Vehicles

Chapter 296-865 WAC

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Motor Vehicles

WAC 296-865-100

Scope

Scope



This chapter applies to all motor vehicles and semitrucks used on public or private roadways.



Definition:

Motor vehicle means any vehicle, machine, tractor, trailer, or any combination of these that's driven by mechanical power and used on the roadways in the transportation of people or materials.

This section doesn't apply to:

- Powered Industrial Trucks covered by another chapter, Forklifts and Other Powered Industrial Trucks, Chapter 296-863 WAC
- Construction equipment covered by another chapter, Safety Standards for Construction Work, Chapter 296-155 WAC
- Logging trucks covered by another chapter, Safety Standards for Logging Operations, Chapter 296-54 WAC

and

- Agricultural equipment covered by another chapter, Safety Standards for Agriculture, Chapter 296-307 WAC.



Reference:

- Additional rules relating to motor vehicles can be found in Title 46 RCW, Motor Vehicles, and are available:
 - At your local library
- and**
- Online at: <http://www.leg.wa.gov/rcw> and click on Title 46 RCW, Motor Vehicles.



Helpful Tool:

Guidelines for Motor Vehicle Policies

This helpful tool can provide you with some additional ideas for policies and practices to prevent motor vehicle accidents. You can find a copy of this helpful tool in the Resources Section of this chapter.

<http://www.lni.wa.gov/>

Notes

1 • 800 • 4BE SAFE (1 • 800 • 423 • 7233)

All Motor Vehicles

WAC 296-865-200

Section Contents

YOUR RESPONSIBILITY:

To make sure all motor vehicle occupants are safe and equipment is safe to use

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All Motor Vehicles

WAC 296-865-200

Rule

WAC 296-865-20005

Motor vehicle operation

You must

- Allow only drivers who are qualified to operate a motor vehicle.
- Allow only drivers who have a current motor vehicle operator's license to operate motor vehicles on public roadways.
- Make sure employees follow any site-specific rules and posted speed limits when operating motor vehicles on roadways privately owned and maintained.



All Motor Vehicles

WAC 296-865-200

Rule

WAC 296-865-20010

Transportation of passengers

You must

- Transport all passengers safely.
- Make sure all employees use seat belts, if the vehicle is equipped with seat belts.



Exemption:

- This doesn't apply to emergency medical workers during the treatment of a patient in an ambulance.

You must

- Make sure vehicles used to transport employees are, at all times:
 - Well equipped
 - Covered against the weather**and**
 - Maintained in good mechanical condition.
- Make sure when transporting sharp tools that could present a hazard to employees in the vehicle, that you provide compartments or (cargo) screens strong enough to retain the tools.

All Motor Vehicles



All Motor Vehicles

WAC 296-865-200

Rule

WAC 296-865-20015

Motor vehicle equipment

You must

- Make sure all equipment operated on public roadways meets all of the state of Washington motor vehicle laws.
- Make sure all parts and accessories are safe to use.
- Make sure all motor vehicle equipment meets the specification or requirements in Table 1.

Table 1
Motor Vehicle Equipment

If you have this type of equipment	Then make sure the equipment is
Seats	Properly secured and Available for every employee in the vehicle.
Tires	Safe to use Helpful Tool: Determining Tire Safety This helpful tool can help you determine if your tires are worn beyond the point of safety. You can find a copy of this helpful tool in the Resource Section of this chapter.
Exhaust systems	Designed to eliminate the exposure of exhaust gases and fumes and Installed and maintained in proper condition.
Fire extinguishers	Provided when the vehicle is: <ul style="list-style-type: none">– At least 26,000 pounds (manufacturer's gross weight) and <ul style="list-style-type: none">– Only used in the state of Washington.



Trucks and Trailers

WAC 296-865-300

Section Contents

YOUR RESPONSIBILITY:

To make sure all trucks and trailers are operated and maintained safely

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Trucks and Trailers

WAC 296-865-300

Rule

WAC 296-865-30005

Truck operation

You must

- Make sure truck drivers operate equipment at a safe speed at all times for roadway conditions.
- Make sure truck drivers either:
 - Sound their horn before starting to back and intermittently during the entire backing operation
- **or**
 - Have a working automatic reverse signal alarm that's audible:
 - Above the surrounding noise level
- **and**
 - No less than 15 feet from the rear of the vehicle.
- Make sure, during the backing of trucks where vision is obstructed, a signal person is stationed at a point giving a clear view of the rear of the truck and the operator of the truck at all times.

WAC 296-865-30010

Dump trucks

You must

- Make sure dump trucks have a device installed on the frame that will hold the bed in the raised position when employees are working underneath.



Trucks and Trailers

WAC 296-865-300

Rule

WAC 296-865-30015

Semitruck brakes

You must

- Make sure semitrucks are equipped with brakes that will safely hold the maximum load on maximum grades.



Note:

- Trailers may use air brakes or other types of brake equipment approved by the Washington state patrol.

You must

- Test brakes before descending a steep grade.
- Follow the requirements in Table 2, Semitruck Braking Requirements.

Table 2
Semitruck Braking Requirements

When	You must
You park a truck on an incline	<ul style="list-style-type: none">– Turn the wheels into the curb and– Have at least one “driver” wheel chocked on each side, independent of the braking system.
Using air brakes	Cut air into the trailer brake system at the time the trailer is attached to the truck.

<http://www.lni.wa.gov/>



Trucks and Trailers

WAC 296-865-300

Rule

WAC 296-865-30020

Truck and trailer loads

You must

- Make sure all loads transported on trucks or trailers are:
 - Properly secured and distributed**and**
 - Limited to a safe operating load for the:
 - Condition of the roadway**and**
 - Capacity of the bridges, trestles, and other structures.



Note:

- The commercial motor vehicles unit of the Washington state patrol determines how much weight can be carried on a vehicle by factoring manufacture limitations, number of axles, and other variables.
- For more information:
 - See RCW 46.44.041, Maximum Gross Weights--Wheelbase and Axle Factors**or**
 - Contact the commercial motor vehicles unit of the Washington State Patrol at Trucks@wsp.wa.gov.



Motor Vehicles

WAC 296-865-400

Definitions



Motor vehicle

Means any vehicle, machine, tractor, trailer, or any combination of these that's driven by mechanical power and used on the roadways in the transportation of people or materials.

Semitruck

Means a truck and trailer combination designed and used primarily for carrying material and property.

Trailer

Means a nonmotorized vehicle designed to be towed by a motor vehicle.

Truck

Means any motor vehicle designed, used, or maintained primarily for the transportation of property.

Notes

1 • 800 • 4BE SAFE (1 • 800 • 423 • 7233)

Motor Vehicles

Chapter 296-865 WAC

Resources

HELPFUL TOOLS

Determining Tire Safety	R-2
Guidelines for Motor Vehicle Policies	R-4



Notes

1 • 800 • 4BE SAFE (1 • 800 • 423 • 7233)

Determining Tire Safety

Use with Motor Vehicles, Chapter 296-865 WAC

Motor Vehicle Equipment, WAC 296-865-20015, requires you to make sure tires worn beyond the point of safety are not used.

The tire tread provides the gripping action and traction that prevent your vehicle from slipping or sliding, especially when the road is wet or icy.

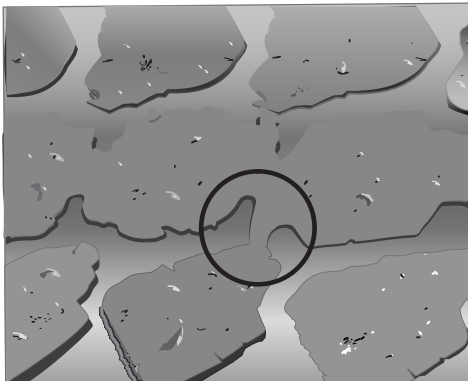
In general, tires with tread that is worn down to 1/16 of an inch aren't safe and should be replaced.

The following provides 2 methods you can use to tell if your tires are worn beyond the point of safety.

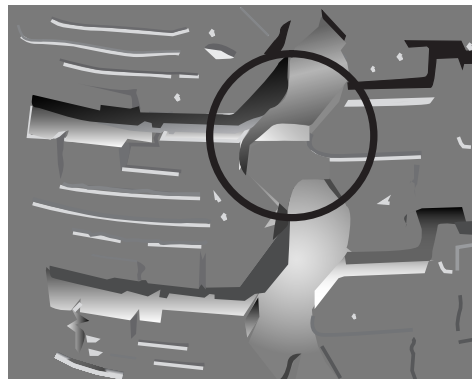
Treadwear Indicators

Tires have built-in treadwear indicators that let you know when it's time to replace your tires. These indicators are raised sections spaced intermittently in the bottom of the tread grooves.

When they appear "even" with the outside of the tread, it's time to replace your tires.



Unsafe Tire



Safe Tire

-Continued-

<http://www.lni.wa.gov/>



Determining Tire Safety

Use with Motor Vehicles, Chapter 296-865 WAC

Penny Method

Another method for checking tread depth is to place a penny in the tread with Lincoln's head upside down and facing you.

If you can see the top of Lincoln's head, the tires have been worn beyond the point of safety and need to be replaced.



Safe Tire



Unsafe Tire



Note:

- Treadwear is **not** the only indication of tire safety. You may also see signs of tire deterioration from sunlight and weather exposure. These signs may include cracking and discoloration.



Guidelines for Motor Vehicle Policies

Use with Motor Vehicles, Chapter 296-865 WAC

Motor vehicle accidents are one of the highest causes of work-related injuries in Washington State. WISHA rules provide a starting place for motor vehicle policies. Employers are encouraged to take additional measures to help protect their employees.

This tool offers you ideas and recommendations for establishing or improving motor vehicle safety policies in your workplace.

1) Write effective motor vehicle safety policies

In addition to the policies and practices that reflect the requirements in chapter 296-865 WAC, Motor Vehicles; consider the following motor vehicle safety policies:

- Avoid requiring workers to drive irregular hours or far beyond their normal working hours.
- Don't allow workers to conduct business on a cell phone while driving.
- Require drivers to report problems or concerns with vehicles immediately.
- Consider adopting a "one driver, one vehicle" strategy. This can instill a sense of responsibility and ownership for the vehicles. Also, the worker who operates the same vehicle develops familiarity with that vehicle and may more easily identify mechanical problems.
- Require employees to stop driving if they feel fatigue.

Warning signs may include:

- Sore or heavy eyes
- Day dreaming
- Continual yawning
- Feeling stiff or cramped
- Slower reaction to traffic
- Varied speed for no apparent reason
- Poor gear changes
- Rash decisions due to impatience
- Wandering over the centerline or onto the road edge.



Link:

- The Washington State Department of Transportation maintains a map of all the safety rest areas in the state. This link will also give you information on rest area's locations and amenities.

<http://www.wsdot.wa.gov/biz/restareas/restareamap.htm>

-Continued-

<http://www.lni.wa.gov/>



Guidelines for Motor Vehicle Policies

Use with Motor Vehicles, Chapter 296-865 WAC

(continued)

2) Apply procedures to prevent motor vehicle accidents

- Develop work schedules that allow employees to obey speed limits and other applicable regulations.
- Develop delivery schedules that account for periodically taking trucks out of service for scheduled maintenance.
- Provide and maintain vehicle safety devices such as flares, blankets, and radios.
- Conduct the following vehicle safety inspections:
 - Informal inspections on a daily basis
 - Formal vehicle safety inspections on a regular basis.



Link:

- For an example of a daily inspection for trucks, see <http://www.ortrucking.org/pretrip.htm>.

- Develop a no-fault reporting system. This encourages employees to report a greater number of near-misses, problems, and accidents, allowing you to update your safety program to account for those hazards. The following can help you develop a no-fault reporting system:
 - Allow employees to confidentially report accidents and near misses to the safety office.
 - Don't use the information from the employee's report to the safety office for any investigation or to prepare reports for disciplinary action.
 - If an investigation is necessary, require the investigators to document the information source.
 - Thank employees for potentially preventing another near-miss or accident.

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Guidelines for Motor Vehicle Policies

Use with Motor Vehicles, Chapter 296-865 WAC

(continued)

3) Implement an awareness campaign

- Start a "Saved by the Seatbelt/ Safety Seat/ Helmet" feature in your company newsletter or on your safety bulletin board. Request first person accounts of how safety belts, car seats, and motorcycle or bike helmets saved the lives of employees or their family members.
- Sponsor a brown-bag lunch and invite a speaker from your local highway safety office, police department, or fire station to discuss highway safety issues.
- Collaborate with a local college or high school to offer defensive driving courses to employees.
- Hold a pizza party or potluck lunch to celebrate an accident-free quarter or month. Feature the event in your company newsletter or on your safety bulletin board.
- Sponsor a contest where children of employees develop traffic safety messages for Mother's Day and Father's Day. Post the entries so they are visible to employees and visitors. Judge the entries by age group and present the winners with prizes such as coloring books, movie passes, or T-shirts.

4) Develop an evaluation process to improve your policies

- Track near-misses and accidents to determine a pattern. As a result, you can improve your safety policies.
- Set measurable goals to address where your policies need improvement.
- Develop strategies to detail how you will meet the goals.

Example:

Your safety office has informed you that driver fatigue has caused some near-misses and one accident. You set a goal to eliminate all accidents from driver fatigue. You decide on 2 strategies: 1) to develop policies that require drivers to stop when they feel fatigued; and 2) educate employees about the risks and symptoms of driver fatigue.

-Continued-

<http://www.lni.wa.gov/>



Guidelines for Motor Vehicle Policies

Use with Motor Vehicles, Chapter 296-865 WAC

(continued)

- Review current policies periodically to determine if they're still adequate.



Links:

- Below are links to other websites that can give you information on motor vehicle safety.
 - NIOSH—Motor Vehicles: www.cdc.gov/niosh/injury/traumamv.html
 - Federal Highway Administration: www.fhwa.dot.gov
 - National Highway Traffic Safety Administration: www.nhtsa.dot.gov
 - Federal Motor Carrier Safety Administration: www.fmcsa.dot.gov
 - Federal Motor Carrier Safety Regulations: www.access.gpo.gov/nara/cfr/waisidx_02/49cfrv4_02.html#31/
 - Federal Motor Vehicle Safety Standards: www.access.gpo.gov/nara/cfr/waisidx_02/49cfrv5_02.html#501
 - Network of Employers for Traffic Safety: www.trafficsafety.org
 - Insurance Institute for Highway Safety: www.hwysafety.org
 - AAA Foundation for Traffic Safety: www.aaafoundation.org/home/



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